

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
Water Resources Advisory Commission (WRAC)
Lake Okeechobee Committee
John Boy Auditorium, Beardsley Room
1200 WC Owens Avenue, Clewiston, FL
Wednesday, September 28, 2005**

Attending – Committee Members

Doug Bournique	Paul Gray	Barry Rosen
Susan Brookman	David Lithgow	Judy Sanchez
Bob Butler	Frank Marsocci	Ray Scott
Joe Collins	Mary Ann Martin	Kim Shugar
Richard Earp	Barbara Miedema	Ken Todd
Don Fox	Roland Ottolini (for Jim	Malcolm “Bubba” Wade
Beverly Grady	Lavender)	

Absent: Gene Duncan, David Hazellief, Jack Smith, and Jody Thomas

WRAC Members: Walter Carson, Harry Cronin, Patrick Hayes, and Carolyn Kennedy

Staff:

Missie Barletto	Peter Kwiatkowski	Karen Smith
Rosie Byrd	Chip Merriam	Keith Smith
Susan Gray	Cal Neidrauer	Rick Smith
Bob Howard	Beth Ross	David Unsell

1. Welcome and Introductions by Malcolm “Bubba” Wade, Chair. Meeting called to order at 9:10 a.m. Mary Ann Martin, Judy Sanchez, and

Chair Wade welcomed local dignitaries to the meeting.

The Honorable Michael DiTerlizzi, County Commissioner District 5, Stuart, Florida, was recognized and he may become a future WRAC Lake Okeechobee Committee member.

The Honorable Richard Machek, Florida House Representative, district 78, Delray Beach, Florida was welcomed to the meeting.

The Honorable Kevin McCarthy, Hendry County Commissioner, LaBelle, Florida was introduced. Mr. McCarthy also works for the City of Clewiston. He was introduced and Commissioner McCarthy provided welcoming comments and information.

Mr. Wendell Johnson, City Manager for the City of Clewiston, provided comments and extended his appreciation to the WRAC Lake Okeechobee Committee. The roll the committee plays in the City of Clewiston is important and anything that can be done to

improve the quality of the Lake is welcome. Mr. Johnson also requested that SFWMD approve the City of Clewiston's request for SB 444 funding.

Committee Member Comment:

Mary Ann Martin provided comment on the citizens of the local communities and asked representatives from the fishing, airboats, guide associations, bass fishing tournament representative and guide groups to speak briefly to the WRAC committee.

A representative of the commercial fishing industry in Clewiston spoke and said he had a lot of questions concerning the Lake and why it is in such poor condition.

A charter fisherman and guide expressed his concerns regarding the excessive spraying of vegetation around the Lake and the poor quality of the water. There are very few areas to fish anymore.

A representative of Rudd's Fish Company and said due to the poor fishing conditions in Lake Okeechobee, he had to close his business. Ten employees are now unemployed. The Lake conditions must improve in order to help the community.

Scott Martin of Roland and Mary Ann Martin Marina spoke of the fishing industry and the bass fishing tournaments in Lake Okeechobee. Because of the problems in the Lake, this is affecting fishing by people all over the United States. During the last five years, tourism has been greatly affected and the dollars that tourists spend is not coming into the community. The Lake must be made healthy and that is the only way the tourists will come back. It is in bad shape – the worst shape he has seen in his entire life.

A spokesman said the Lake is the community's whole life and he does not understand why it is in the poor condition it is in and he wondered why nothing is being done to improve it.

Ms. Martin thanked everyone for their comments. Chair Wade provided information on assisting members of the public in understanding the problems. Staff will be contacted at SFWMD to schedule whatever is needed in order to set up a meeting. This will be coordinated.

Announcement:

Chair Wade announced a change to the agenda. *Section 120.525, Florida Statutes, allows the District to change the published agenda for good cause shown. Based upon that authority, the Chair of the WRAC Lake Okeechobee Committee determines that good cause exists to make the following changes.*

Postpone presentation on forward pumps, and move Item 7 to Item 5.

2. Member Issues – Members Discuss Items of interest to the Committee:

Don Fox – He expressed his concern about the emergency situation in Lake Okeechobee regarding fishing. Large mouth bass fishing is non-existent and it will be two to three years before a recovery is in sight.

Paul Grey – The cities around the Lake are having hard time. He spoke on wading birds and other birds around the Lake and reported they are seen in abundance. He urged the group to fix the problems in the water as soon as possible.

Barbara Miedema – The members of the committee recognize the long term and short term goals. She wants the District to discuss Supply Side Management when the Lake does get very low; and Peer Review Panel Process on Lake Okeechobee and lake dredging. Creative, out of the box solutions need to be reviewed to bring solutions to the Lake's problems.

Frank Marsocci – He spoke on hurricanes and the sediment in the Lake that is stirred up. Fisheries have collapsed due to aquatic vegetation.

Chair Wade said this subject first came up at the Governor's Commission and provided information on dredging water bodies. Mr. Marsocci provided additional information on dredging.

Mary Ann Martin – She said solutions do not amount to “dollars”, but to “common sense”. The sediments that were disturbed by wave action, etc. have caused problems. The sprayed vegetation is what has caused all the problems. She said to drop the water levels and expose the vegetation to the sun and this will help enormously. High water and non-exposure from the sun to the sediment is the problem. This is the worst the Lake has ever been.

Barry Rosen – When the study was done on the Lake, the amount coming into the Lake was very significant. He thinks that by reducing the phosphorus coming into the Lake improvements will be made. Dredging was mentioned.

Paul Grey – One of the problems with dredging is the cost - \$3 million. Dredging issues and what is needed to make the Lake healthy was discussed. Susan Gray, SFWMD, provided information on the pilot dredging tests that was performed three years ago. Copies of the material will be sent to the Committee members.

David Lithgow – The issue of spraying on the vegetation also affects ducks (even if the ducks do not eat the vegetation). The affects of the spraying as it relates to spawning of ducks need to be researched. We are approaching the next Legislative session, and funding requests should be submitted for short term solutions.

Chair Wade provided information on "Member Issues" and he said that Ernie Barnett will present information to the Committee on funding and what funds will be available.

Doug Bournique – In citrus they have studied the affects of violent weather. The year 2004 was an abnormally violent weather year and it disturbed all the estuaries. Staff at SFWMD are doing a great thing and they have a very difficult dilemma. Everyone must think outside of the box and find answers to problems on where the water will move – even move the water north. \$8 billion is about to be spent on CERP, and the area of Martin/St. Lucie, the Okeechobee areas, and the West Coast areas are all having major problems and creative ways need to be found to restore the water quality. The Committee members were urged to be positive in providing suggestions.

Mary Ann Martin – She asked if a moratorium could be issued today to stop spraying around Lake Okeechobee. Chair Wade said all the issues are not know by this group, but a meeting will be set up with Dan Thayer, Bob Howard, and other District staff to find out if that is a good idea or not a good idea.

Ray Scott - He asked for a fast track analysis on the spraying, including the reasons and the cost, in order to try to help the Lake. The Lake is the worst it has ever been. He would like to have information on what the impacts of stopping the spraying.

Bob Howard, SFWMD, provided information and said a presentation can be set up by the next WRAC Lake Okeechobee Meeting and possibly by the next WRAC Regular Meeting. This would be very timely to have this discussion.

Chair Wade said this will be set up quickly as spraying is a very important topic.

Barry Rosen – Ecological information must be provided at these meetings to ensure the return of healthy plants.

Beverly Grady – She requested to have baseline information on the rainfall inflows and outflows from Lake Okeechobee so the Committee will have a starting point on issues.

Chair Wade and Chip Merriam, Deputy Executive Director, Water Resources, SFWMD, provided information. Mr. Merriam said the decisions made by SFWMD encompass a 16 county area – from Orlando to the Keys and both east and west. Ideas will be presented to the Committee and hopefully together we can all move forward together. The USACOE is our partner. Chair Wade asked Cal Neidrauer and Tom MacVicar to provide a handout at the next meeting to provide the information requested by Ms. Grady. Ms. Grady asked that the dates of the future meetings be distributed as soon as possible. The next meeting is scheduled on October 26.

Roland Ottolini – He would like staff to look into storage options in the Lake Kissimmee and the affects on the Caloosahatchee. There are a lot of problems in the

Caloosahatchee, but if there are options to help both estuaries that would be a good thing.

Mary Ann Martin – Asked about pulse releases and Mr. Howard provided information. The Lake is at 15.52’.

Susan Brookman – She spoke of the competing interests around Lake Okeechobee and issues that conflict. The SFWMD and USACOE will be getting Resolutions from several entities seeking actions to improve the Caloosahatchee and the estuaries. These are being sought in the hope of achieving harmony and cooperation – be a part of the solution and not create additional problems.

Representative Richard Machek - He is an advocate of getting the Lake level down, and when it comes to the economy this must be done. The spraying does need to stop. The dollars that are spent on the spraying on the Lake will be reviewed by him. The Lake level needs to be brought down in a timely manner. The Legislature will be looking into the issues. Mr. Howard provided information on funding for spraying between the USACOE and the SFWMD.

Paul Gray – Pulse releases rates were asked about and Mr. Howard said that information will be provided at the next meeting. Chair Wade said the data that is supplied will show how much water is releases. Mr. Merriam provided comment on the releases and achieving the discharge conditions. Mr. Gray gave information on the Lake and said it could be a lot worse. Mr. Merriam reported on the weekly staff meetings that occur where the tough decisions are made on improving the Lake and other areas. Mr. Gray thanked Representative Machek for his comments and his past assistance in getting funding from the Legislature. Chair Wade said Representative Machek and Senator Pruitt have been instrumental in helping to get action on improving the conditions in the lake.

Public Comment:

April Huebner, USACOE Representative – She oversees the program of spraying for the USACOE in the City of Clewiston and she would like to come to the next meeting and provide information on that program.

Bob Hill – Spraying of vegetation and sediment – does it cause more damage when it is on top or the bottom of the Lake? Other questions on spraying of vegetation were asked.

Carolyn Kennedy – Alternate on the WRAC and she asked about the five cities that use the water for drinking. How does the spraying affect the drinking water? Chair Wade provided information on testing of the water in the cities of Clewiston and Belle Glade.

Scott Martin – The season for bass fishing is coming in the fall and it would be good to let the public see that some action is taking place quickly to help the Lake.

Information on Water Conditions:

Chair Wade asked Bob Howard to report on water conditions in Lake Okeechobee. Mr. Howard reported that the Lake is at 15.52' and is at the same level as last year. This could be a very successful recession this year. He provided a water condition's report.

David Lithgow spoke on the water level and blockages and asked questions and Mr. Howard provided the requested information. Dr. Gray gave additional information on the turbid conditions and phosphorus levels in the Lake. Chair Wade asked Dr. Gray to find the right people in the USACOE to ask about the spraying to see if this matter can be done quickly.

3. Discussion - SFWMD Governing Board Resolution: Lake Okeechobee Water Control Plan and Revisions to WSE Schedule, by Malcolm "Bubba" Wade.

Chair Wade and Mr. Merriam provided information on the matter. Ms. Miedema asked about NEPA requirements and the information was provided. Chair Wade provided additional information on why the Resolution was being presented today. He asked if anyone had any questions.

Question and Answer Session:

Frank Marsocci – Asked about the forward pumps and modeling. Mr. Merriam provided information. Mr. Marsocci said the fishing community would be in favor of low-level forward pumps. Chair Wade responded and gave further information.

Barbara Miedema – Parallel processes were discussed. Barry Rosen provided information. Ms. Miedema, Mr. Rosen, Mr. Merriam, Chair Wade, Mr. Scott, and Mr. Gray commented further on the proposed draft Resolution. Chair Wade provided background information on the Resolution and said the Resolution would be forwarded to the full WRAC for review and then sent to the SFWMD Governing Board. Ms. Miedema made suggested changes to the Resolution on other alternatives to proposed changes in the WSE schedule.

Beverly Grady provided her viewpoint of the draft Resolution. Joe Collins agreed with the comments by Ms. Grady, and said we don't have all the answers, but the Lake cannot afford to wait until all the answers are received. General discussion was held by Committee members. Cal Neidrauer, SFWMD, provided additional information on modeling and the tools needed.

Don Fox requested that a copy of Dr. Hazen's report on *Alternative 2 Evaluations* be made available to the group.

Continuing discussion on word changes to the draft Resolution. A request for some timelines to be added were made. General discussion continued.

Changes to Section 1 and Section 3 were made: Section 1 – Include in the sixth line, the wording "...supply, recreation; and achieving routine operation of the Lake ...". Section 3 – Include in the second sentence "... future presence of permanent forward pumps in some of the alternatives considered when preparing ...".

Chair Wade asked for any objections and there being none, the draft Resolution will be forwarded to the full WRAC.

5. Aquifer Storage and Recovery Update by Peter Kwiatkowski, Lead Project Manager, Water Supply Dept., SFWMD.

Mr. Kwiatkowski presented information on aquifer storage and recovery. Information on the near-term issues to be resolved was provided. The CERP ASR capacity correlates with Basin-specific water availability.

The presentation contained information regarding the CERP pilot projects, the ASR Issue Team issues, ASR pilot projects, tasks completed, the various stages of development for projects, ASR Regional Study, and the CERP ASR pilot projects. All completion dates are subject to federal funding.

Chair Wade asked for the amount of funding from the federal government and Mr. Kwiatkowski said it would be \$5 - \$10 million, and if initial seed money is received, then the likelihood of receiving the other funding for up to \$50 million over the next three years. Chair Wade asked further questions on the contact in charge of the funding. Mr. Rosen and Ms. Miedema provided information. If no new funding is made available, that means there will be no new pilot projects. General discussion was held on different funding scenarios that could occur.

Question and Answer Session:

Ray Scott provided background information on ASR and the original schedule for projects. He asked further questions regarding funding and Mr. Kwiatkowski provided the requested information. Acceler8 Program was discussed. Mr. Scott would like this issue to go to the full WRAC. This is a piece of CERP that is going to have to work. We need to do everything possible to move these projects on as fast as possible.

Chair Wade said everyone agrees with what Mr. Scott requested. This needs to be discussed at the full WRAC and the Governing Board needs to be kept up-to-date. Mr. Gray provided additional information on ASR and the water level of Lake Okeechobee. Contingency plans were discussed. Mr. Kwiatkowski will ask John Morgan, SFWMD, to provide an update to the Committee on this issue.

Joe Collins asked for additional information on forward pumps and ASR. Mr. Kwiatkowski provided information.

Beverly Grady asked about CERP ASR wells and the 30 wells that are in existence currently and water supply. Mr. Kwiatkowski provided information.

Chair Wade spoke on contingency plans and how ASR fit into the plans.

8. Non-Agriculture/Non- Point Source Water Quality Options, by Kim Shugar, Program Administrator, Southeast District, Florida Departmental of Environmental Protection.

Ms. Shugar presented information on this issue. The agencies responsibilities on BMPs, water quality, NPDES, and waste water. Information on Lake Okeechobee Watershed Land Use was given.

Non-agricultural restoration funds were given as a total of approximately \$930,000. Urban stormwater was discussed. An MS4 is a Municipal Separate Storm Sewer System and is a conveyance or system of conveyance that discharges waters of the United States. There are two phases in the United States. Information Phase II MS4s was given, as well as the stormwater management plan. The FDEP Dairy Rule and NPDES permits; and TMDLs were discussed.

Question and Answer Session:

Ray Scott – TMDLs information was clarified.

Roland Ottolini – Land Use totals for the watershed and the impact to areas. Developers will work with her on this matter.

Barry Rosen – Watershed Land Use figures were questioned and Ms. Shugar provided information.

Paul Gray – Municipal Wastewater was discussed in connection with the watershed.

Joe Collins – Run-off from the natural areas and the Lake Okeechobee Watershed Projects were commented upon. BMPs are being done, but they do not even come close to reaching the TMDLs.

Chair Wade – He commented on discharges of water in the United States and Palm Beach County programs. Ms. Shugar provided information.

Ray Scott – He asked for follow-up information on NPDES permits and Ms. Shugar provided the answers.

[Note: Chair Wade recessed the meeting at 12:10 p.m. for lunch and reconvened at 12:50 p.m.]

6. Lake Okeechobee Agricultural “Best Management Practices” Program by Ray Scott, Conservation Water Policy Coordinator, Florida Department of Agriculture (FDACS).

Mr. Scott presented information on the agricultural BMPs program. The TMDL for Lake Okeechobee was the first one in the state. The implications of the program were explained. The two major impacts are nutrients and water management. A map showing the priority basins was shown. Two sources of phosphorus (P) exist on agriculture operations – residual P in soils resulting from past land uses; and fresh P from present land uses.

The FDACS plan was reviewed. The Department of Environmental Protection verifies that the interim measures/BMPs are effective, and once that is completed that provides a presumption of compliance with water quality standards. Approximately \$1.3 million have been federally funded for water conservation plans around Lake Okeechobee. At the SFWMD website for Lake Okeechobee, there is a report available for viewing on BMPs. A 25% reduction in phosphorus levels will probably be achieved following release of the next report. During the last five years there has been a program-development sequence. Information on the current status of the program was provided.

Mr. Scott introduced Bonnie Wolfe, who works for FDACS in the local office in Clewiston.

Question and Answer Session:

Ken Todd asked about the water permitting and residual clean-up. There is no special surface water permit. Mr. Scott provided information.

Don Fox asked about the monitoring of the program and Mr. Scott gave the answer. Recordkeeping is very important and FDACS is responsible for monitoring that over time. There is currently no cost-sharing with O&M.

Bob Butler spoke of cost-sharing and treating of phosphorus. The cost of regular BMPs will change. The edge of farm retention was discussed.

Ken Todd spoke on the program to reduce the phosphorus. Mr. Scott said the goal of the Lake Okeechobee BMP Program was to reduce phosphorus and there are a number of special projects going on in the watershed.

Doug Bournique said this is a “win-win” for landowners and the environment. Savings have been achieved by landowners. This is a tremendous plus for the water bodies and is very successful.

Paul Gray spoke on residual phosphorus fertilizers and Bonnie Wolfe provided information. Water storage as it relates to BMPs is site specific and this issue was discussed. A specific program to determine what is a “fair share” of land for water storage was requested by Mr. Gray. Mr. Bournique provided additional information on conservation. Mr. Scott provided additional detail on TMDLs and the Okeechobee

Watershed. Bob Butler provided information on environmental protection and BMP. Continued general comments on BMPs by Committee members.

Barry Rosen suggested a “pay for performance” program be implemented. Mr. Scott provided comments.

Chair Wade spoke of Everglades Agricultural Area BMPs.

7. Phosphorous Reduction Projects, by Benita Whalen, Director, Okeechobee Service Center, SFWMD.

Ms. Whalen presented information on the Lake Okeechobee Protection Program. This is a watershed based program for restoration and protection of Lake Okeechobee. Information on ongoing and complete watershed projects was provided. The future projects were reviewed. Some site-specific project implementation information was given. She emphasized “start-up” criteria for projects.

Bob Butler provided information on his farm’s BMP programs and water storage.

Ms. Whalen continued her presentation with information on the Lake Okeechobee Watershed Assessment (LOWA) Monitoring Network.

Question and Answer Session:

Ken Todd commended both Ms. Whalen and Mr. Scott for the BMP programs and said the Committee should support both programs.

9. Technical Sub-Committee Update, by Cal Neidrauer, Chief Consulting Engineer, Operations Control and Vegetation Management Department, SFWMD.

Mr. Neidrauer presented information on status of the technical sub-committee of the WRAC Lake Okeechobee Committee. A one-page handout was given out with the: Initial Charge of the Technical Subcommittee; Members; 1st Meeting; 2nd Meeting; and the Next Meeting (October 17, 2005). He estimates a draft will be available by the end of this calendar year.

Question and Answer Session:

Roland Ottolini - Other water quality parameters in the report? Tom MacVicar provided information. Mr. Neidrauer said timing will depend on whether other issues will be taken up.

Information:

Rick Smith provided information on upcoming meeting dates and location.

Adjourn at 2:10 p.m.

Malcolm "Bubba" Wade
Chair
Water Resources Advisory Commission
Lake Okeechobee Committee

Recorded By:

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